IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

WP(C).No. 31292 of 2006(A)

PETITIONERS:

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1. SHIBI MOL.V., AGED 33 YEARS,
W/O.T.G.CHANDRA PRAKASH, HIGHER SECONDARY SCHOOL TEACHER (JUNIOR) (MALAYALAM), ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-688 004.

2. NISHA CHANDRAN.N.,
AGED 29 YEARS, W/O.P.SUNIL KUMAR, HIGHER SECONDARY SCHOOL TEACHER (ENGLISH), ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-688 004.

3. ARUN ANAND, AGED 29 YEARS,
S/O.P.G.ANAND, HIGHER SECONDARY SCHOOL TEACHER (COMPUTER SCIENCE), ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-688 004.

4. KOCHUTHRESIAMMA VARGHESE,
AGED 36 YEARS, W/O.SHAJI LONAPPAN, HIGHER SECONDARY SCHOOL TEACHER (JUNIOR), (ECONOMICS), ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-688 004.

5. KAVITHA.D.R., AGED 29 YEARS,
W/O.REJIMON.R., HIGHER SECONDARY SCHOOL TEACHER (COMMERCE), ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-688 004.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, GENERAL EDUCATION DEPARTMENT, SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR OF HIGHER SECONDARY EDUCATION, HOUSING BOARD BUILDINGS, SANTHI NAGAR, THIRUVANANTHAPURAM.

3. SRI.P.T.SUMITHRAN, MANAGER, ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-4.

4. THE PRINCIPAL, ARAVUKAD HIGHER SECONDARY SCHOOL, P.O.PUNNAPRA, ALAPPUZHA-688 004.

R1 & R2 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C NO. 31292 OF 2006 A

Dated this the 27th November, 2006

JUDGMENT

Case of petitioners, in brief, is as follows:

They were appointed as Higher Secondary School Teachers in the Aravukad Higher Secondary School, Punnapra. They were appointed vide Exts.P1 to P5. Their appointments were not approved due to management dispute and their salary also was not paid. According to petitioners, management dispute cannot take away the right of Teachers to get approval of their appointments. They rely on Exts.P10 and P12 Judgments besides Ext.P11 GO. I heard learned Government Pleader also. Since the matter is pending before second respondent, I feel that a decision in accordance with law, should be taken on the question whether the appointment of petitioners should be approved, after hearing the affected parties. Accordingly, the Writ Petition is disposed of directing second respondent to

consider and take a decision in regard to the question as to whether the appointment of petitioners should be approved, in accordance with law, after hearing petitioners, third respondent and any other affected parties. While considering the matter, second respondent will take note of Exts.P10 to P12 also. A decision shall be taken as aforesaid within a period of two months from the date of production of a copy of this Judgment.

K. M. JOSEPH, JUDGE

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